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## REMARKS/ARGUMENTS

The above Amendments and these Remarks are in reply to the Final Office Action mailed December 5, 2006.

### I. Summary of Examiner's Rejections

Prior to the Final Office Action mailed December 5, 2006, Claims 1, 2, 4-7, 9, 10, 12-14, 16-18, 20-22, 24-28, and 30-33 were pending in the Application. In the Final Office Action, Claims 1-2, 4-7, 9-10, 12-14, 16-18, 20-22, and 24-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,101,506 to Ukai et al., in view of U.S. Patent No. 5,894,333 to Kanda et al. Claims 30-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ukai in view of Kanda as applied to claims 1, 9, 17, and 25 above, and further in view of U.S. Patent No. 6,238,106 to Rosati.

### II. Summary of Applicants' Amendments

The present Response amends Claims 30-33, leaving for the Examiner's present consideration Claims 1, 2, 4-7, 9, 10, 12-14, 16-18, 20-22, 24-28, and 30-33. Reconsideration of the Application and of the claims in light of the following arguments is respectfully requested.

### III. Claims Rejected under 35 U.S.C. §103(a)

Claims 1-2, 4-7, 9-10, 12-14, 16-18, 20-22, and 24-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,101,506 to Ukai et al., in view of U.S. Patent No. 5,894,333 to Kanda et al. Applicants respectfully traverse these claim rejections.

#### Claim 1

Claim 1 requires creating a group from multiple objects and designating *a representative of the group*. Ukai discloses a method and system for managing files by version. A plurality of electronic files is classified groupwise. Files having a same name and different versions are included in one group. For example, these files are electronic publications, photographs and programs such as game software, identified by versions such as "Vol.," "No.," or "Ver." Each file group is represented by a representative image. This representative "image," however,

shows a *title and/or version of the file*, not the file itself. For example, Fig. 1 shows that the representative images 116A-D indicate titles and versions "Hitachi Catalog Vol. 5," "Video No. 1," "Wear, Summer Issue 1996," and "1996," respectively. When the representative image is designated or pointed to by a user, a predetermined file in the relevant group is executed, where executing means that the contents of the electronic file are displayed. (col. 1, lines 35-45; col. 2, lines 11-55; col. 8, lines 18-21 and 24-26). Thus, the representative "image" as disclosed in Ukai is not the same thing as a representative of the group for a group of objects.

Further, Claim 1 requires that when a search is performed on the *plurality of objects* the representative will be returned if any of the *objects of the group* meet a *search parameter*. It was stated in the Office Action that Ukai does not explicitly disclose this element of claim 1 but that Kanda discloses this element of claim 1.

Kanda discloses a representative image display method for video images. In Fig. 6, each scene display area 156 displays the representative image of that scene and a scene partition data display area 158 displays each scene's start point (start time) and end point (end time). (col. 7, lines 26-32). The user first selects a scene. For example, in Fig. 14, the topmost scene is selected. Next, the specified time is entered, for example, through a keyboard, and the "current time" in Fig. 14 is initialized with the specified time. In the figure, the allowable input is in the range of scene start time 00:00:00:00 to end time 00:02:04:20. In the example of Fig. 14, the time 00:01:02:28 is specified. The user can use playback button 153 to playback the motion image for the selected scene and a stop button 154 stop the motion image being played back. (col. 7, lines 21-23; col. 9, lines 29-30 and 36-41).

In Kanda, the *plurality of objects* is images from scenes, such as the three separate scenes shown in Fig. 14. Each scene is a group of images (*group of objects*), and the representative image is the image representing the "group." In Kanda, however, the user first selects a scene. From the scene (group) the user enters a designated time (*search parameter*). Thus, Kanda discloses that the user performs a search on one scene (group), not a search on images from all of the scenes (*plurality of objects*).

On page 10 of the Office Action, it was stated that Kanda discloses that the user can enter different level of brightness according to preset times as a *search parameter* in order to retrieve desired results. Applicants respectfully disagree. In Kanda, motion description images (display 157 of Fig. 14) having differing levels of brightness according to preset times are created by

superimposing outline images while varying the color of the outline image. (col. 10, lines 13-16; col. 8, lines 41-44). Thus, changing the display of motion description images using differing levels of brightness is not the same as entering a different level of brightness as a search parameter.

Further, on page 10 of the Office Action, it was stated that Kanda discloses that the user can use characters such as "right" and "up," or symbols such as "→" and "↑" as *search parameters* in order to retrieve desired results. Applicants respectfully disagree. In Kanda, instead of using a motion description image (display 157 of Fig. 14), the direction of movement of the subject can be expressed using "right" and "up," or symbols such as "→" and "↑". (col. 8, lines 22-25). Thus, these characters are used in the display of the motion description image and are not characters or symbols used as search parameters by a user.

Thus, Kanda does not disclose designating a representative of the group and that when a search is performed on the plurality of objects, the representative will be returned if any of the objects of the group meet a search parameter, as required by claim 1. For at least these reasons, claim 1 is neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

#### Claims 9, 17, and 25

The comments provided above with respect to Claim 1 are hereby incorporated by reference. For similar reasons as provided above with respect to claim 1, Applicants respectfully submit that claims 9, 17, and 25 are likewise neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

#### Claims 2, 10, and 18

Claims 2, 10, and 18 require that an object may be part of more than one group. Ukai discloses a method and system for managing files by version. Four example types of files (objects) are albums, games, documents, and catalogs, as shown in Fig. 2. An example file case, such as the Hitachi Catalog, has example file versions Vol. 1 through Vol. 5 (Fig. 4). In the Office Action, it was stated that an object [a particular photograph (file) for example] may be part of more than one group [may be in both a catalog and an album, or even in two different catalogs for example]. (Ukai, Figs. 1-4). Since one purpose of the system disclosed in Ukai is to

*manage files by version*, it is unlikely that a version of one catalog file, for example, will also be a version of another catalog file. For example, it is unlikely that a duplicate of any of the Hitachi catalog Vols. 1-5 will be stored under the other catalogs. Another purpose of the system disclosed in Ukai is to *manage files by file type*. Thus, for a photograph file stored under albums, for example, it is unlikely that the photograph file would also be stored with a different type of files, such as catalogs.

In the Office Action, it was also stated that an object [Hitachi Catalog Vol. 3] may be part of [linked into (35)] more than one group [Hitachi Catalog and Hitachi Catalog 2]. (Ukai, Fig. 4). Ukai discloses that a plurality of files can be created on the basis of a given document file, meaning that there can be multiple sub-versions for one version of a file. A link-destination file name, or pointer, is used to manage these sub-versions of a file. In the Hitachi Catalog example, for the file labeled "Hitachi Catalog" and the version name "Vol. 3" the link-destination is "Hitachi Catalog 2," which means that a series of files having the file name "Hitachi Catalog 2" are derived from "Hitachi Catalog, Vol. 3." (Ukai, col. 11, lines 39-49). This series of files might be named Vols. 3.1, 3.2, 3.3, etc., for example. Because the series of files in "Hitachi Catalog 2" are separate from the "Hitachi Catalog files," "Vol. 3" is part of "Hitachi Catalog," but is not, however, part of "Hitachi Catalog 2."

Thus, Ukai does not disclose that an object (file) may be part of more than one group, as required by claims 2, 10, and 18. For at least this reason, claims 2, 10, and 18 are neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

#### Claims 6, 14, 22, and 27

These claims require that the objects of the group may be viewed by selecting the representative. Ukai discloses that a user clicks the file-case knob 114 of the file case 112 with the mouse, and the file-case door 113 is opened. This file-case knob is separate from the representative image 116 in Fig. 7A. In Fig. 7B, a file group 117 for the back numbers is displayed within the file case 112 (col. 12, 20-21, 27-28, 34-35, Figs. 1 and 7).

Although in Ukai the file group (objects) in the file case (group) may be viewed by selecting the file-case knob, the file-case knob 114 is different than representative image 116. Thus, Ukai does not disclose that the objects of the group may be viewed by selecting the

representative, as required by claims 6, 14, 22, and 27. For at least this reason, claims 6, 14, 22, and 27 are neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 4, 5, 7, 12, 13, 16, 20, 21, 24, 26, and 28

Claims 4, 5, 7, 12, 13, 16, 20, 21, 24, 26, and 28 are not addressed separately, but it is respectfully submitted that these claims are allowable in view of the comments provided above. Applicants respectfully submit that these claims are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicants respectfully reserve the right to argue these limitations should it become necessary in the future.

Claims 30-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ukai in view of Kanda as applied to claims 1, 9, 17 and 25 above, and further in view of U.S. Patent No. 6,238,106 to Rosati.

Claims 30-33

Claims 30-33 have been amended to require that the step of designating a representative is performed by designating the first object selected during the *step of receiving user selections of multiple objects from the plurality of objects*. These amendments have been made to correct antecedent basis problems. Applicants respectfully submit that no new matter is being added to these claims.

Claims 30-33 are not addressed separately, but it is respectfully submitted that these claims are allowable in view of the comments provided above. Applicants respectfully submit that Claims 30-33 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicants respectfully reserve the right to argue these limitations should it become necessary in the future.

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IV. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is respectfully requested. The Examiner is respectfully requested to telephone the undersigned before an advisory action is issued in order to avoid any unnecessary filing of an appeal.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136 for the time to respond up to and including April 5, 2007.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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